ILLEGIB

11 March 1978

MEMORANDUM FOR: Associate Director-Management
                    National Foreign Assessment Center

STAT   FROM   : [   ]
                      Assistant for Information, DDA

SUBJECT   :   Intelligence Charter Legislation

REFERENCE   :   Your multiple addressee memorandum dtd 23 Feb 78,
                  same subject

    1.   The paragraphs which follow contain the comments and sugges-
tions of this directorate on Title IV of the draft charter legislation
and they make specific reference to the issues identified in the
attachment to your memorandum of 23 February.

    2.   <u>Section 403(b), page 179 (Issue 3)</u>

    We support the change in the definition of the term "proprie-
tary" but suggest that the amended phrasing be "but whose relationship
with the CIA <u>cannot be</u> publicly acknowledged by the United States
Government."

    ✓3.   <u>Section 411(a), page 180 (Issue 2)</u>

    We defer to legal opinion about the difference between exist-
ing statutory language and the phrase "under the direction and control
of the National Security Council" but note that the responsibilities of
other parts of the intelligence community described in the charter
legislation do not appear to be subject to the same "direction and
control." Cast our vote for changing this language drawn from the
Act of 1947.

    4.   <u>Section 412(a), page 180 (Issue 4)</u>

    The OLC note suggests that the debate on the ambiguities of
the provisions on the DNI and the DCI has been closed, but we feel
strongly that further effort should be made to clarify the DNI's role
as Director of the CIA. In this regard, it has been suggested that the
term "act" appears to indicate a temporary situation and that the term
"serve" would be more appropriate.

Next 9 Page(s) In Document Exempt

78-1050

NFAC-729-78

23 February 1978

MEMORANDUM FOR: Deputy Director for Operations
Deputy Director for Science and Technology
Deputy Director for Administration
Office of the Inspector General
Office of General Counsel
Office of Legislative Counsel
Office of the Comptroller
Director, National Foreign Assessment Center

STAT FROM:

Associate Director-Management
National Foreign Assessment Center

SUBJECT: Intelligence Charter Legislation

   1. The process of reviewing and developing positions on the intelligence charter legislation, S. 2525, ultimately will involve many steps. As you are all aware, the legislation is broken up into seven titles -- three substantive titles of general applicability throughout the Community, three agency charters (CIA, NSA and FBI) and a short title containing several amendments to existing statutes. At this point, I anticipate that we will be dealing with the various titles essentially along three tracks. First, we will review comprehensively this Agency's charter. Secondly, we will review Titles I, II and III to identify major issues and to identify particular provisions that relate to the Agency's and the Director's authorities and responsibilities. Lastly, we will review the NSA and FBI titles in light of their impact on the CIA's and the Director's responsibilities. The timetables for review of each of the different titles will vary, and I will levy further tasks as appropriate.

   2. Attached for your review is a paper prepared by the Office of Legislative Counsel identifying a number of important issues in Title IV, the CIA charter. Please have your component review this material and
STAT provide comments to [   ] by 10 March 1978. Your review should include comment on each of the issues identified in the paper and suggestions as to additional issues that should be raised in the context of this title.
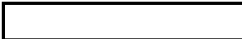
3. The Office of Legislative Counsel and the Office of General Counsel are preparing for distribution and review a paper identifying the several most important issues contained in Titles I and II and our general concerns with certain provisions in Title IV. This paper will be distributed within the next day or two and will include a deadline for comment thereon.

STAT

STAT   cc:

DDCI

ER

Added Distribution (AI/DDA)
1 - Each Office Director (distributed at morning meeting)
1 - SSA/DDA

- 2 -

Next 11 Page(s) In Document Exempt